IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 26074 of 2005(D)
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PETITIONER:
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G. SUDHIESH KUMAR,
LICENSEE, FL-3 NO.56/2005-06,
HOTEL SEA FACE, N.U.P. BEACH ROAD, KOVALAM,
THIRUVANANTHAPURAM-695 527.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY SECRETARY, TAXES (A) DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE EXCISE COMMISSIONER,
COMMISSIONERATE OF EXCISE, THIRUVANANTHAPURAM.

3. THE ASST. EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

4. THE CIRCLE INSPECTOR OF EXCISE,
NEYYATTINKARA, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI. MANOJ KUMAR, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**APPENDIX**

PETITIONER'S EXHIBITS:

EXT.P1: PHOTOCOPY OF THE APPLICATION DATED 31.08.2004 SUBMITTED BEFORE THE 2ND RESPONDENT TROUGH THE 4TH RESPONDENT.

EXT.P2: PHOTOCOPY OF THE LETTER DATED 11.02.2005 ISSUED BY THE 2ND RESPONDENT.

EXT.P3: PHOTOCOPY OF THE REVISION PETITION DATED 26.02.2005 FILED BEFORE THE 1ST RESPONDENT.

EXT.P4: PHOTOCOPY OF THE JUDGMENT DATED 23.06.2005 IN W.P.(C) NO.18151/2005 OF THIS HON'BLE COURT.

EXT.P5: PHOTOCOPY OF THE ORDER DATED 12.07.2005 PASSED BY THE 1ST RESPONDENT.

/True Copy/

P.A to Judge.

**KURIAN JOSEPH , J**

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**W.P.(C) NO. 26074 OF 2005**

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**Dated this the 11th day of July, 2007.**

**JUDGMENT**

Ext. P1 application was filed by the petitioner for conversion of a counter with a store room as per the plan attached with the application. The same was rejected as per Ext.P2. It has become final as per Ext.P5. According to the petitioner, he was not given an opportunity before the Government and had he been given such an opportunity, he could have convinced the Government that he is entitled to such conversion. It is also submitted that in the case of several similarly situated persons such permission has been granted. Thus, it is prayed that the petitioner may be permitted to approach the Government for fresh consideration of the matter. In the event of the petitioner approaching the Government, the representation will be duly considered by the Government with notice to the petitioner and appropriate orders in accordance with law will be passed expeditiously.

The writ petition is disposed of accordingly.

**KURIAN JOSEPH, JUDGE.**

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